

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**LEONARD LUCERO,**

**Plaintiff,**

**v.**

**No. 13-cv-0684 MCA/SMV**

**N.M. CORRECTIONAL FACILITY, ET AL.,**

**Defendants.**

**ORDER**

THIS MATTER is before the Court on Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs [Doc. 2]. According to the docket, Plaintiff has been released from custody. The Court will grant the application and, under *Christensen v. Big Horn County Bd. of County Comm'rs*, 374 F. App'x 821, 830 (10th Cir. 2010); *Brown v. Eppler*, --- F.3d ---, 2013 WL 3958371, \*6-\*7 and n. 7 (10th Cir. 2013), no payments will be ordered. Because Plaintiff has been released, the Court will require him to submit an amended application. See *Holmes v. Hardy*, 852 F.2d 151, 153 (5th Cir. 1988), *quoted in Scherer v. Kan.*, No. 07-3084, 263 F. App'x 667, 669 (10th Cir. 2008) (unpublished). Failure to comply with this Order may result in dismissal of the Complaint.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that Plaintiff's original Application to Proceed in District Court Without Prepaying Fees or Costs [Doc. 2] is **GRANTED**;

**IT IS FURTHER ORDERED** that the Clerk is directed to mail to Plaintiff a long form § 1915 application with a copy of this order; and, within **fourteen days** from entry of this order, Plaintiff must file an amended § 1915 application.

**IT IS SO ORDERED.**

A handwritten signature in black ink, appearing to read 'S. Vidmar', is written over a horizontal line.

**STEPHAN M. VIDMAR**  
**United States Magistrate Judge**